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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.      | CONFIRMATION NO. |
|---|-------------|----------------------|--------------------------|------------------|
| 10/524,632  | 02/16/2005  | Hideo Nawata         | TEI-0131                 | 1448             |
| 7590<br>Rader fishman & Grauer<br>1233 20th Street N W<br>Suite 501<br>Washington, DC 20036 |             |                      |                          |                  |
|   |             |                      | EXAMINER                 |                  |
|   |             |                      | MATTER, KRISTIN CLARETTE |                  |
|   |             |                      | ART UNIT                 | PAPER NUMBER     |
|   |             |                      | 3771                     |                  |
|   |             |                      | MAIL DATE                | DELIVERY MODE    |
|   |             |                      | 01/20/2010               | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|   |                        |  |                     |  |
|---|------------------------|--|---------------------|--|
| <b>Examiner-Initiated Interview Summary</b> | <b>Application No.</b> |  | <b>Applicant(s)</b> |  |
|   | 10/524,632             |  | NAWATA, HIDEO       |  |
|   | <b>Examiner</b>        |  | <b>Art Unit</b>     |  |
|   | KRISTEN C. MATTER      |  | 3771                |  |

  

**All Participants:**

(1) KRISTEN C. MATTER.

(2) MAULIN PATEL.

**Date of Interview:** 14 December 2009

**Type of Interview:**

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant    ☐ Applicant's representative)

**Exhibit Shown or Demonstrated:** ☐ Yes    ☒ No

If Yes, provide a brief description: \_\_\_\_\_

**Part I.**

**Rejection(s) discussed:**

*Double patenting rejection of claims 1-8 and the rejection of claims 5-8 under Gropper et al.*

**Claims discussed:**

*1-8*

**Prior art documents discussed:**

*Gropper et al.*

**Part II.**

**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

*See Continuation Sheet*

**Part III.**

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

**Status of Application:** \_\_\_\_\_

(3) \_\_\_\_\_

(4) \_\_\_\_\_

**Time:** 3:30 PM

/Kristen C. Matter/  
Examiner, Art Unit 3771

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner suggested an examiner's amendment to claim 5, line 11, changing "corresponding to" to --based on- to overcome the current rejection under Gropper et al.. Applicant indicated that that amendment would be acceptable and that applicant would check to see if a terminal disclaimer could be filed to overcome the double patenting rejection and move the case to allowance. However, a terminal disclaimer could not be filed in a timely manner so a Final Action is being sent out with this interview summary and the proposed examiner's amendment has not been entered.